

October 05, 2016



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 16394
(FOURTH REVISION)

EXPIRATION DATE: 2017-05-31

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Cellco Partnership
d/b/a Verizon Wireless
Basking Ridge, NJ
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the manufacture, mark, sale and use in non-UN Standard packagings for the transportation in commerce of damaged or defective lithium ion cells and batteries and equipment containing these cells or batteries that originally met the requirements under 49 CFR 173.185(c). This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subparts C through H of Part 172 in that shipping papers, marking, labeling, emergency response information and training are required and § 173.185(f) in that alternative packaging is not authorized, except as specified herein.

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5. BASIS: This special permit is based on the application of Cellco Partnership d/b/a Verizon Wireless submitted June 15, 2016 submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium ion batteries*	9	UN3480	N/A
Lithium ion batteries contained in equipment*	9	UN3481	N/A

*These cells or batteries (including when contained in equipment) must have originally met the conditions in § 173.185(c) prior to becoming damaged or defective. Additionally, these cells must have a Whr rating less than 20 Whr and these batteries must have a Whr rating less 100 Whr prior to becoming damaged or defective.

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) For a cell or battery that has not been removed from a piece of equipment:

(i) The equipment must be packed in a plastic bag that completely encloses the equipment.

(ii) Each plastic bag must be surrounded by non-combustible, non-conductive cushioning material and individually placed in a UN 4H2 plastic box or within a fiberboard box inside a 5-gallon UN 1A2 steel drum. Both UN 4H2 and UN 1A2 packagings must meet Packing Group I performance criteria.

(2) For a cell or battery that has been removed from equipment:

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(i) The cell or battery and equipment must be packed in a plastic bag that completely encloses the cell or battery.

(ii) Each plastic bag must be surrounded by non-combustible, non-conductive cushioning material and individually placed in a UN 4H2 plastic box or within a fiberboard box inside a 5-gallon UN 1A2 steel drum. Both UN 4H2 and UN 1A2 packagings must meet Packing Group I performance criteria.

(3) Each UN 4H2 or UN 1A2 package must be placed in a UN 4G fiberboard box and must be surrounded by non-combustible, non-conductive cushioning material.

b. OPERATIONAL CONTROLS -

(1) Each package may contain not more than one cell, one battery, or one piece of equipment containing one cell or one battery;

(2) No more than ten packages may be offered in a single consignment;

(3) Shipments are only authorized:

(i) From Consumer residences to Cellco Partnership d/b/a Verizon Wireless retail stores and distribution centers; and

(ii) From Cellco Partnership d/b/a Verizon Wireless retail stores and distribution centers to testing and analysis facilities.

(4) Cellco Partnership d/b/a Verizon Wireless must develop a safety training video pertaining to handling and packaging of damaged and defective cells, batteries, and equipment containing these cells or batteries via a common carrier under the terms of this special permit. Employees must receive training on the requirements of this special permit;

(5) Detailed closure, packing and shipping instructions must be provided to individuals preparing shipments under the terms of the special permit.

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Persons offering packages for transportation must comply with the closure instructions accompanying the packaging; and

(6) Each shipment offered under the terms of this special permit must be accompanied by a document that includes the following:

(i) An indication that each package contains a lithium ion cell or battery, as appropriate;

(ii) An indication that each package is to be handled with care and that a flammable hazard exists if a package is damaged;

(iii) An indication that special procedures must be followed in the event a package is damaged; and

(iv) A telephone number for additional information.

c. MARKING - Each package must be marked with:

(1) "DOT-SP 16394" in accordance with § 172.304;

(2) "Damaged/defective lithium ion battery" in accordance with § 172.304 and the lithium battery handling marking conforming to § 173.185(c)(4)(i) on the outer package; and

(3) The words: "FORBIDDEN FOR TRANSPORT BY AIRCRAFT - GROUND AND VESSEL SHIPMENT ONLY".

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modification or change is made to the package and it is offered for transportation in conformance with this special permit and the HMR.

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- c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation. This requirement does not apply to consumer cells or batteries, including those contained in equipment, shipped from consumer residences.
- d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.
- e. A current copy of this special permit must be maintained at each facility where the packaging is manufactured under this special permit. It must be made available to a DOT representative upon request.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle and cargo vessel used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit.

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No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover
Acting Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: SH/NICKS